

# United States District Court, Northern District of Illinois

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|--|---|--|-----------|
| Name of Assigned Judge or Magistrate Judge | Samuel Der-Yeghiayan                                | Sitting Judge if Other than Assigned Judge |           |
| CASE NUMBER                                | 13 C 373  | DATE                                       | 6/13/2013 |
| CASE TITLE                                 | Bennie K. Ellison (R-00575) vs. S A Godinez, et al. |  |           |

## DOCKET ENTRY TEXT

Since Petitioner is proceeding *pro se*, the court will liberally construe his emergency motion as to sua sponte objections as a motion for an extension [36], and will grant [36] Petitioner an extension of time to file his response to Respondent's motion to dismiss. Petitioner is given until July 14, 2013, to file a response to Respondent's motion to dismiss, and Respondent is given until July 28, 2013, to file a reply. Petitioner is warned that future nonsensical legal jargon will not be deemed to be a meritorious argument in this case. The status hearing set for September 26, 2013, stands.

■ [ For further details see text below.]

Docketing to mail notices.

## STATEMENT

This matter is before the court on Petitioner Bennie K. Ellison's (Ellison) *pro se* motion. On April 18, 2013, the court gave Respondent until May 24, 2013, to answer or otherwise plead to the habeas petition (Petition) filed by Ellison in this case. On May 24, 2013, Respondent moved to dismiss the Petition.

Pursuant to the briefing schedule set by the court, Ellison was given until June 24, 2013, to file a response to the motion to dismiss. On June 7, 2013, Ellison filed the instant filing. Since Ellison is proceeding *pro se*, the court has liberally construed Ellison's filing. The filing consists of what appears to be nonsensical legal jargon. Ellison makes reference in his filing to an "emergency motion as to sua sponte objections," makes reference to a "sua sponte status hearing," and moves for a variety of legal relief such as "immediate release" and "exoneration." (Mot. 1-2). It is not clear as to whether Ellison intended this "emergency" filing to be his response to Respondent's motion to dismiss. Ellison does make a reference in his filing to a "further extension of times." (Mot. 1). Since Ellison is proceeding *pro se*, the court will liberally construe his filing as a motion for an extension, and will grant Ellison an extension of time to file his response to Respondent's motion to dismiss. Ellison is given until July 14, 2013, to file a response to Respondent's motion to dismiss, and Respondent is given until July 28, 2013, to file a reply. Ellison is warned that future nonsensical legal

## **STATEMENT**

jargon will not be deemed to be a meritorious argument in this case. The status hearing set for September 26, 2013, stands.